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Attorneys for the Defendant

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BETH ISRAEL MEDICAL CENTER,

Plaintiff,

v.

1199/S.E.I.U. UNITED HEALTHCARE WORKERS  
EAST D/B/A LOCAL 1199/S.E.I.U. NATIONAL  
HEALTH AND HUMAN SERVICE EMPLOYEES  
UNION

Defendant.  
-----X

TO: CLERK, United States District Court  
for the Southern District of New York

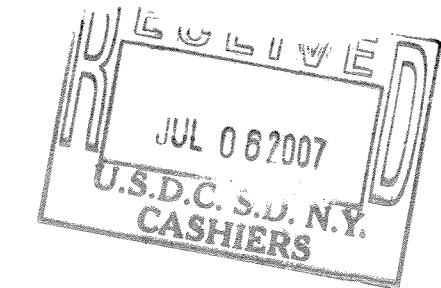
PLEASE TAKE NOTICE that the above-captioned action, commenced in the  
Supreme Court for the State of New York, New York County, is hereby removed to the  
United States District Court for the Southern District of New York pursuant to 28 U.S.C.  
§§1441 and 1446.

GROUND FOR REMOVAL

1. Plaintiff Beth Israel Medical Center ("Plaintiff") transacts business and  
maintains its principal place of business in the State of New York, and is an employer

JUDGE CEDARBAUM

'07 CIV 6254



within the meaning of Section 2(2) of the National Labor Relations Act (“NLRA”), 29 U.S.C. § 152(2).

2. Defendant 1199/S.E.I.U. United Healthcare Workers East D/B/A Local 1199/S.E.I.U. National Service Employees Union (“Defendant”), is a “labor organization” within the meaning of Section 2(5) of the NLRA, 29 U.S.C. § 152(5).

3. Plaintiff and Defendant are parties to a collective bargaining agreement (“the Agreement”), dated February 21, 2002 which remains in effect until April 20, 2011, a contract between an employer and a labor organization representing employees in an industry affecting commerce within the meaning of Section 301(a) of the Labor-Management Relations Act (“the LMRA”), 29 U.S.C. § 185(a).

4. The Agreement provides for the “final, conclusive and binding” resolution of disputes between plaintiff and defendant by arbitration.

5. In an Opinion and Award dated March 6, 2007, an arbitrator sustained a grievance submitted by defendant as against plaintiff pursuant to the Agreement and issued a remedy.

6. Plaintiff commenced an action against Defendant in the Supreme Court of the State of New York, County of New York, bearing the Index No. 108209/07. A copy

of Plaintiff's Notice of Petition and Verified Petition, with Exhibits, submitted by Plaintiff in support of its Petition, with Exhibits, is attached hereto as Exhibit A.

7. Upon information and belief, no further proceedings have been had in connection with plaintiff's state law petition.

8. By its state law petition, plaintiff seeks to vacate the March 6, 2007 arbitration award rendered pursuant to the Agreement.

9. Plaintiff's state law petition is preempted by, and must be decided solely on the basis of, federal law -- specifically Section 301 of the LMRA. This Court has jurisdiction over this dispute pursuant to Section 301.

10. As plaintiff's entitlement to relief, if any, necessarily arises under laws of the United States, plaintiff's petition may be removed to this court under 28 U.S.C. § 1441.

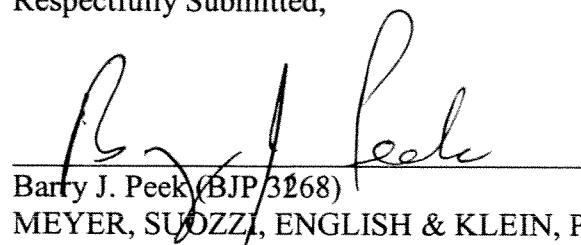
11. This notice of removal is filed within thirty (30) days after defendant received plaintiff's initial pleadings, as required by 28 U.S.C. § 1446(b).

12. This proceeding was originally filed by plaintiff in state court in this District. Therefore, venue is proper in this Court.

13. No previous petition for removal of this proceeding has been made.

Dated: July 6, 2007  
New York, New York

Respectfully Submitted,



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